

CITY OF MUSKEGON
MUSKEGON HOUSING BOARD OF APPEALS
MEETING MINUTES
08/04/11
5:30PM

ATTENDANCE: Randy Mackie, William Krick, Greg Borgman, Ed Simmons, Kirk Kolberg

ABSENT:

EXCUSED: Chris Carter, Jon Rolewicz

STAFF: Bryon Mazade, Carmen Smith, Jim Hoppus, Don LaBrenz II, Henry Faltinowski, Ken Murar

GUESTS: David Wotli, Lola Walburn(1642 Dyson), Doug Malear, Carol Amrhein(1290 Wood)

Meeting minutes: A motion was made by Randy Mackie and seconded by Ed Simmons to approve the July 2011 minutes.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
		Jon Rolewicz		
William Krick		Chris Carter		
Ed Simmons				
Kirk Kolberg				

Motion carried.

PROPERTY MAINTENANCE CODE APPEAL

1642 DYSON – DAVID/SANDRA WOTLI-1724 BEIDLER ST, MUSKEGON, MI 49441

Mr. Wotli and Lola Walburn(tenant) was present to represent case.

Mr. Wotli stated he owned home for about 10 years and had all the routine inspections. The property is going thru a re-certification and now the electrical has become an issue. He stated the electrical is the same from previous inspections and has not been altered or changed. He said he doesn't understand what's different now from then. If something is wrong does that

mean the previous inspector didn't do their job or was qualified and left tenant in an unsafe situation. Ken Murar, housing inspector stated he did a general safety inspection after looking at the breaker box he went outside and noticed meter was old round 60 amp meter and breaker box is 100 amp which makes it unsafe. He said it appears breaker box was newly installed. Ken stated regarding issue with inspector, he had not conducted prior inspections but being a master electrician by trade, the electrical issue stuck out as being a potential problem. Mr. Wotli stated that if it's being established now that condition is unsafe then his tenant who has lived there for 8 years has been living in a dangerous situation. He felt since all inspections has been approved prior, that he had not gotten what he paid for and unqualified people did the inspection. Bryon Mazade stated it cannot be established for sure that it was missed in prior inspections. Mr. Wotli said his tenant who currently lives there could testify that the electrical has been the same since they moved there and they have gone thru several inspection periods. William Krick asked if Mr. Wotli had new service installed? Mr. Wotli said he has not done anything to electrical since purchasing property. Mr. Krick said Mr. Wotli should be grateful that someone caught oversize service with undersized wire before a fire resulted. Mr. Wotli said his concern was that for 8 ½ years that somebody didn't do their job and he was charged for it and wondered how many other inspections fall into question. Mr. Krick said this inspector did do his job and found the problem so it's a mute point. Mr. Krick said Mr. Wotli should try to find out who actually installed the service and why they didn't coordinate with electric company for proper meter.

Motion made by William Krick to deny appeal and was seconded by Ed Simmons.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				Randy Mackie

William Krick	Jon Rolewicz
Ed Simmons	Chris Carter
Kirk Kolberg	

Motion carried.

**EN-110073 – 845 W. DALE – J R C PROPERTIES LLC, 1629 FOREST PARK RD.,
MUSKEGON, MI 49441**

No one was present to represent property.

Randy Mackie made motion to declare the structure substandard, dangerous and a public nuisance and was seconded by William Krick.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
		Jon Rolewicz		
William Krick		Chris Carter		
Ed Simmons				
Kirk Kolberg				

Motion carried.

EN-110085 – 190 WOOD ST(COMMERCIAL – DONALD L. BALCOM TRUST, 2156 LANDVIEW DR., TRAVERSE CITY, MI 49686

No one was present to represent property.

Randy Mackie made a motion to declare the structure substandard, dangerous and a public nuisance and was seconded by Kirk Kolberg.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
		Jon Rolewicz		
William Krick		Chris Carter		
Ed Simmons				
Kirk Kolberg				

Motion carried.

EN-110079- 1290 WOOD ST(COMMERCIAL) – HOPE LIGHTHOUSE CHURCH, 444 IRWIN AVE., MUSKEGON, MI 49442

Doug Malear was present to represent case.

Mr. Malear stated he bought property on land contract. He said inspectors came in to inspect because it was 501C3 used for a non profit but was denied tax exempt status. He said he agreed when informed by City that it would cost more to repair than to tear down. He said he

planned to tear down but have kept property clean and safe the same as when purchased. Right now they don't have means to tear down so would ask for more time. He said they are now paying back taxes with plan to get paid up. Henry Faltinowski stated roof system is in state of collapse which endangers the whole building. Bryon Mazade asked about cost to tear building down. Mr. Malear said they had a quote of \$7000 about 2 months ago. There was discussion amongst board regarding demolition being assessed against property taxes. Mr. Malear stated within 18 months they should be clear of the taxes.

Randy Mackie made a motion to declare the structure substandard, dangerous and a public nuisance and was seconded by Ed Simmons.

OLD BUSINESS:

NEW BUSINESS:

ADJOURNMENT: 5:55 PM

CITY OF MUSKEGON

**AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF
THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.**

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Ann Becker, City Clerk
933 Terrace Street
Muskegon, MI 49443
(231) 724-6705 or TDD (231) 724-6773